

**REMARKS**

Claims 1-15 are pending in the present application, with claims 2-5, 7-10 and 12-15 are withdrawn in response to a restriction requirement. With entry of this Amendment, Applicants cancel claims 1, 6 and 10 without prejudice and add new claims 16-22. Reexamination and reconsideration are respectfully requested.

The Examiner indicated that the supplemental IDS filed on October 21, 2003 did not comply with 37 C.F.R. § 1.98(a)(2), because the Yahoo web page was not available. Applicants respectfully submit that the Yahoo web page was submitted and attach hereto a copy of the supplemental IDS filed on October 21, 2003, the form PTO-1449 and a copy of a stamped postcard from the USPTO indicating the submission of seven publications. Accordingly, Applicants respectfully request that Examiner consider the supplemental IDS. Applicants accessed the Yahoo web page and have provided a copy for reference.

The Examiner indicated that the IDS filed on March 30, 2001 did not comply with 37 C.F.R. § 1.98(a)(1), because there was no form PTO-1449 available. Applicants respectfully submit that the form PTO-1449 was submitted and attach hereto a copy of the IDS filed on March 30, 2001, the form PTO-1449 and a copy of a stamped postcard from the USPTO indicating the submission of an "IDS w/PTO Form 1449 (3 cited references)." Accordingly, Applicants respectfully request that Examiner consider the IDS.

The Examiner rejected claims 1, 6 and 11 under 35 U.S.C. § 112, second paragraph. This rejection is now moot in view of Applicant's canceling claims 1, 6 and 11 without prejudice.

The Examiner rejected claims 1, 6 and 11 under 35 U.S.C. § 102(e) as being anticipated by Treyz et al. (US 6587835). This rejection is now moot in view of Applicant's canceling claims 1, 6 and 11 without prejudice.

Applicants have added new claims 16-22. The present invention allows a user to purchase items from a plurality of vendors belonging to different countries at one web site. Items

dealt by the vendors are displayed together allowing the user to easily choose items for designation. Once a user designates items from a plurality of vendors belonging to different countries, the site computer transmits instructions to the applicable vendors to send the designated items to the user. In this manner, the user can purchase items with ease and without delay.

Claim 18 is directed to a site computer that comprises “transmitting means for transmitting item list information to the user computer, wherein the item list information shows at least one item dealt by the first vendor, the first vendor belonging to a first country, and at least one item dealt by the second vendor, the second vendor belonging to a second country different than the first country, whereby the user computer displays an item list based on the item list information . . . .” The site computer further comprises “receiving means for receiving, from the user computer, simultaneous designation of items displayed on the item list and dealt by the first and second vendors . . . .” Based on the simultaneous designation of items, the transmitting means “transmits instructions to the first and second vendor computers requesting the designated items to be sent out.”

It is believed that claim 16 is in condition for allowance. Treyz does not disclose a site computer that transmits item list information showing items listed from vendors belonging to a plurality of countries and then instructs the vendors to send the designated items. Treyz is directed to a handheld computing shopping device. As illustrated in Fig. 27, for a given item, the device provides the user the ability to compare prices at option 342. When the user selects option 342, screen 346 at Fig. 28 appears on the device. The screen provides information of various retailers – on-line merchants 350 and brick-and-mortar merchants 354 – selling the product. It does not disclose items from vendors belonging to different countries nor does it disclose a site computer that instructs the vendors to send out the product. If an on-line retailer is selected, the handheld device directs the user to the retailer’s website for purchase (see Col. 32, lines 7-9). If a brick-and-mortar retailer is selected, the handheld device merely provides directions to the retailer (see Col. 32, lines 14-16). Accordingly, Treyz does not anticipate claim 18.

It is believed that claims 17-20 which depend from claim 16 and independent claims 21 and 22 are likewise in condition for allowance for at least the reasons set forth above. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Docket No. 393032023900.

Attachments: IDS dated March 30, 2001, Form 1449 and stamped postcard  
Supp. IDS dated Oct. 21, 2003, Form 1449, stamped postcard and Yahoo web page

Dated: September 27, 2004

Respectfully submitted,

By \_\_\_\_\_  
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555 West Fifth Street, Suite 3500  
Los Angeles, California 90013  
(213) 892-5200



EXPRESS MAIL No. EL606538253US  
PATENT  
39303.20239.00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Taro TOKUHIRO, et al.  
Serial No.: Unknown  
Filing Date: Concurrently Herewith  
For: METHOD FOR SELLING ITEMS  
USING A NETWORK

Examiner: Not Assigned  
Group Art Unit: Not Assigned

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

RECEIVED  
OCT 6 2004  
GROUP 1

Dear Sir:

In accordance with 37 CFR §1.56, and in recognition of their duty to disclose to the United States Patent and Trademark Office relevant information known to be material to patentability, applicants herewith submit copies of the prior art listed on the attached Information Disclosure Statement (Form PTO-1449). The statement is not a representation that all of the information cited is necessarily effective as prior art against the application.

Applicants respectfully request that the disclosed references be made of record in the above-identified application.

Respectfully submitted,

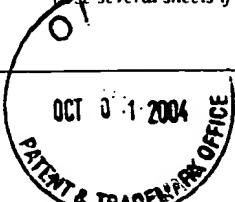
Dated: March 30, 2001

By: David L. Fehrman  
David L. Fehrman  
Registration No. 28,600  
Morrison & Foerster LLP  
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Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number 39303.20239.00	Application Number Currently unknown
Applicant	Taro TOKUHIRO
Filing Date Concurrently herewith	Group Art Unit *
Mailing Date March 30, 2000	

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	03/03/98	5,724,424	Gifford			
	2.	04/20/99	5,895,454	Harrington			
	3.	09/28/99	5,960,411	Hartman, et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	4.						
	5.						
	6.						

## OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	7.	

EXAMINER: (examiner)

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.



RECEIVED

OCT 6 2004

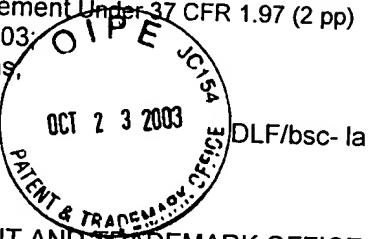
GROUP 3.00

Attorney Docket: 39303-20239.00      Date: October 21, 2003  
Inventor(s): Taro TOKUHIRO, et al.      USSN: 09/824,483  
Title: METHOD FOR SELLING ITEMS USING A NETWORK

Enclosed are the following:

1. Supplemental Information Disclosure Statement Under 37 CFR 1.97 (2 pp)
2. copy of SG search report dated 067/27/2003
3. Form PTO-1449 and seven (7) publications,
4. THIS RETURN RECEIPT POSTCARD.

Certificate of Mailing by First Class Mail



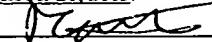
RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT  
Docket No. 393032023900



CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on October 21, 2003.

  
Beverly S. Carter

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Taro TOKUHIRO, et al.

Serial No.: 09/824,483

Filing Date: March 30, 2001

For: METHOD FOR SELLING ITEMS  
USING A NETWORK

Examiner: Not Yet Assigned

Group Art Unit: 2161

SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

The documents listed on the attached Form PTO-1449 were cited in a search and examination report mailed on June 27, 2003 (copy attached) directed to a corresponding Singapore application.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.

This Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 393032023900. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 21, 2003

Respectfully submitted,

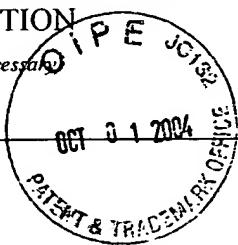
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Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)



Docket Number 393032023900	Application Number 09/824,483
Applicant	Taro TOKUHIRO, et al.
Filing Date March 30, 2001	Group Art Unit 2161
Mailing Date October 21, 2003	

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	1.	10/14/1999	WO 99/52042	PCT			X
	2.	04/13/2000	WO 00/21006	PCT			X
	3	02/07/2001	2 352 856	UK			X
	4.	04/19/2001	WO 01/27837	PCT			X

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	5.	eBay (www.ebay.com) 28 April 1999, shown at <a href="http://web.archive.org/web/19990428111841/http://www.ebay.com/">http://web.archive.org/web/19990428111841/http://www.ebay.com/</a>
	6.	Bidbay (www.bidbay.com) 15 August 2000 shown at <a href="http://web.archive.org/20000815075137/www2.bidbay.com/">http://web.archive.org/20000815075137/www2.bidbay.com/</a>
	7.	Yahoo! Auctions (Auctions.yahoo.com.au) 19 February 2000 shown at <a href="http://web.archive.org/web/20001109170500/au.auctions.yahoo.com/au/">http://web.archive.org/web/20001109170500/au.auctions.yahoo.com/au/</a>

EXAMINER: (examiner)

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.